CALL TO ORDER

ROLL CALL: Ken Boyer, Ken Donart, Whitney French (Vice-Chair), Michael Garrigan (Chair), Richard Scheffrahn, Stephenie Todd, Jeff Wehrli (CB Representative), 2 vacancies and Angela Zubko (PBZ liaison)

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Approval of minutes from the January 15, 2014

SPECIAL RECOGNITION
Pete Bochek - 3 years
Fred Dickson - 5 years

CHAIRMAN’S REPORT

NEW BUSINESS

OLD BUSINESS
1. Draft Ordinance changes - discussion and recommendation on more information requested by the PBZ Committee - Catherine O’Conner
2. Update on Millbrook Bridge
3. Discuss and decide what is next for the reconnaissance survey - have some pictures from Seward and NaAuSay Township
4. 5 Year Plan/Project Tracking Sheet – Discuss and approve changes/adjustments and select next steps for meeting 2014 goals
5. Discussion on public outreach event

PUBLIC COMMENT

ADJOURNMENT: Next meeting on April 16, 2014
KENDALL COUNTY
HISTORIC PRESERVATION COMMISSION
111 West Fox Street, Room 209 & 210, Yorkville, IL 60560
Meeting minutes of January 15, 2014
(Unofficial until approved)

CALL TO ORDER
The meeting was called to order by Chairman Michael Garrigan at 7:00 p.m.

ROLL CALL
Present were: Ken Boyer, Ken Donart, Whitney French (Vice-Chair), Michael Garrigan (Chairman), Stephanie Todd and Jeff Wehrli (7.28) (CB Representative)
Also present: Senior Planner Angela Zubko
Members in the audience: None
Absent: Peter Bochek, Fred Dickson and Richard Scheffrahn

Planner Zubko stated Peter Bochek unfortunately had to resign. Stephanie Todd suggested Anne Marie Sponholtz. ACTION: Ms. Todd will contact her to see if she would like to join the committee.

APPROVAL OF AGENDA
Ken Donart made a motion to approve the agenda as written, Whitney French seconded the motion. All agreed and the agenda was approved.

APPROVAL OF MINUTES
Whitney French a motion to approve the minutes as amended from December 18, 2013 meeting. Ken Donart seconded the motion. All agreed and the minutes were approved.

CHAIRMAN’S REPORT
Mr. Garrigan was not present so there was no report this evening.

NEW BUSINESS
Ms. French wanted to state we are making minimal progress about preserving the Millbrook Bridge. It’s moving forward and Mr. Wehrli is on board. Mr. Donart has been forwarding some information he has received from Roger Matile from the Little While School House. There was discussion on the construction of the bridge and the next steps. There was discussion on type of grants and landmarking the bridge. Research is ongoing.

OLD BUSINESS
1. Draft Ordinance changes- discussion and recommendation on more information requested by the PBZ Committee Planner Zubko stated she contacted Catherine O’Conner who is willing to come talk to our Board but when the weather gets better. She understood our Board’s concerns and suggested some language stating in the case of a formal property owner objection to designation, the landmark
nomination would require super majority vote ratification by the County Board, after a public hearing is held.

We went back to discuss the Millbrook Bridge since Mr. Wehrli was in attendance. We are assembling information to possibly landmark the bridge. Mr. Wehrli stated this bridge is under a lot of duress and it’s been 4 years since they told us to immediately fix the bridge. (the structural engineers). 1 of the piers has dropped at least 8 inches. Andy Meyer from the highway department stated there is a whole book in the Plano library about this bridge. **ACTION:** Ms. French will go check out this book at the library.

2. Review of Phase I Engineering and type of information provided- Planner Zubko stated in the packet is information on Phase I engineering. Phase I engineering is required during any new road construction or alignments, not resurfacing. The state researches most of the archeology. The question is what triggers a Phase I engineering and how the Commission can get in the loop of information?

3. Review of future transportation plan- Planner Zubko stated the highway department’s future transportation plan is available online and she has a copy if anyone would like to look at it. They are all resurfacing projects except Eldamain Road and Stevens Road extension to Minkler Road. There was a brief discussion on Route 34.

4. Discuss and decide on a date for special meeting to review reconnaissance survey & review reconnaissance survey- 1st Wednesday of February which is Feb. 5th. It will be here at the County Office Building.

5. 5 year plan- Discuss and approve changes- Ms. French stated she handed out homework and wanted to go through the list one by one. The committee went page by page.

6. Project Tracking sheet- discuss adjustments and select next steps for meeting 2013 goals- This is the 5 year plan.

7. Discussion on public outreach event- Did not get to this month, will be continued to next month.

8. Review reconnaissance survey pictures- there was no time to take a look at pictures.

**PUBLIC COMMENT**
There was no public comment at this time

**ADJOURNMENT-** Next meeting will be February 19, 2014 (Planner Zubko will be absent) – Whitney French made a motion to adjourn, seconded by Ken Boyer, all agreed. Chairman Garrigan adjourned the meeting at 8:56 pm.

Submitted by,
Angela L. Zubko, Recording Secretary & Planning & Zoning Manager
Has the County’s legal counsel looked at your proposed ordinance changes? It seems like Part 5 would be the place to add language about the Owners wishes. Also in Part 5 there are some typos (2 pt As etc)

Here is an example of language commonly used:

B. Application Requirements: Applications for nomination shall be filed with the County Clerk, on forms provided by the County and shall, at a minimum, include the following information and specifications:

1. For A Landmark:

a. The name and address of the applicant and owner of record.

b. The legal description and common street address of the property.

c. A written statement describing the structure, building, or site and setting forth reasons in support of the proposed designation, including a list of significant exterior architectural features that should be protected.

d. Written documentation and evidence establishing that the applicant is the current owner of record of the nominated property and whether the owner of record consents or objects to the proposed landmark designation. Such documentation or evidence of record ownership shall include a recent title policy in the name of the applicant or other evidence of record ownership acceptable to the Clerk.

e. An overall site plan and photographs of the landmark. The plan shall also include a front, side, and rear elevation drawing.

f. Such other relevant information as requested by the County Reorder or the Commission.

2. For An Historic District:

a. The names and addresses of the applicants.

b. The names and addresses of all of the owners of record of buildings, structures, or sites in the area nominated for designation.

c. A vicinity map delineating the boundaries of the area nominated for designation.

d. A written statement describing the area and structures, buildings, or sites located in the area nominated for designation as an historic district and setting forth the reasons in support of the proposed designation, including a list and photographs of significant exterior architectural features of all structures, buildings, or sites in the district that should be protected.

e. Written documentation and evidence establishing that applicants are the current owners of record of property in the area nominated for designation and that such owners comprise the owners of record of at least fifty-one percent (51%) of all sites contained in the nominated area. Such documentation or evidence of record ownership shall include recent title policies in the names of the applicants or other evidence of record ownership acceptable to the County Clerk.
f. The name, address, and telephone number of one of the applicants who shall be the designated contact person and liaison for the purposes of the application. The name, address, and telephone number of an additional applicant to serve as an alternative contact person shall also be provided.

g. Such other relevant information as requested by the County Recorder or the commission.

Catherine O’Connor
Manager, Local Government Services
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, IL 62701

217 785-5730  217 524-7525 Fax

Please consider the environment before printing this email.

From: Angela L. Zubko [mailto:AZubko@co.kendall.il.us]
Sent: Thursday, March 06, 2014 8:15 AM
To: O’Connor, Catherine
Subject: RE: Kendall County Historic Preservation Agency

I guess I assumed during the public hearing but I guess I should clarify that a little.

Thanks,

Angela L. Zubko
Planning & Zoning Manager | Kendall County Department of Planning, Building & Zoning
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630.553.4139 | Fax: 630.553.4179

From: O’Connor, Catherine [mailto:Catherine.OConnor@Illinois.gov]
Sent: Wednesday, March 05, 2014 4:40 PM
To: Angela L. Zubko
Subject: RE: Kendall County Historic Preservation Agency

Angela: this looks very good however, I do not see any process by which an owner could register their consent or objection. So for the RECOMMENDATION OF PRESERVATION COMMISSION process in the following paragraph, how would the commission know if an owner approves or objects? Maybe I missed that in the ordinance language. When and where does the owner go to document their objection or approval?

8. RECOMMENDATION OF PRESERVATION COMMISSION
Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district and also include if the property owner(s) objects to the designation. The Preservation
Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.

Catherine O'Connor
Manager, Local Government Services
Illinois Historic Preservation Agency
1 Old State Capitol Plaza
Springfield, IL 62701

217 785-5730 217 524-7525 Fax

Please consider the environment before printing this email.

From: Angela L. Zubko [mailto:AZubko@co.kendall.il.us]
Sent: Wednesday, March 05, 2014 3:12 PM
To: O'Connor, Catherine
Subject: RE: Kendall County Historic Preservation Agency

Thanks so much for the suggested language to help our ordinance become CLG eligible, before the Board looks over the text I just wanted to make sure the changes we made in red would be acceptable. Please let me know when you get a chance or if you see any issues. Thanks for your help, the changes start on page 7 in red.

Thanks,

Angela L. Zubko
Planning & Zoning Manager | Kendall County Department of Planning, Building & Zoning
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630.553.4139 | Fax: 630.553.4179

From: Angela L. Zubko
Sent: Tuesday, January 07, 2014 4:15 PM
To: 'catherine.oconnor@illinois.gov'
Subject: Kendall County Historic Preservation Agency

Catherine,

Good afternoon, my name is Angela Zubko and I am the Planning & Zoning Manager for the Kendall County Planning, Building and Zoning Department and also have the privilege to be the Historic Preservation Commission liaison. As you may know from talking to Mr. Michael Garrigan, Kendall County is looking into changing the text of our current Ordinance to become CLG eligible. The main thing that needed to be modified to our Ordinance is to eliminate the owner’s consent from our Ordinance. Our Committee and County Board have some concerns with eliminating that language and I was wondering if you could please come talk to the County Board at one of our Committee of the Whole meetings? They meet every 2nd Thursday at 4pm. I think it would be beneficial to have you in attendance to explain the pros of becoming a
CLG community and if any other questions arise. They did ask if becoming CLG has effected any municipality in a negative way.

Their main issue with eliminating that language are future boards or municipal boards voting on something to be historic against the owner’s consent. They don’t feel this Board will do that but not sure about future board members. We are unique in the fact that we’re a County historic preservation commission versus a municipality, would the state possibly understand the uniqueness and leave in owner’s consent since this is countywide and could fall to a municipality as well? Please let me know your thoughts and if you are available to come speak at one of our meetings.

Thanks,

Angela L. Zubko
Planning & Zoning Manager | Kendall County Department of Planning, Building & Zoning
111 West Fox Street Room 203
Yorkville, IL 60560-1498
Phone: 630.553.4139 | Fax: 630.553.4179
business shall be made by a majority vote of those members in attendance while a quorum is present, except that the adoption, modification or rescission of any rule or part thereof shall require the affirmative vote of five (5) members.

H) *Compensation.* The members shall serve without compensation, but they shall be reimbursed for their expenses necessarily incurred in the performance of their duties as such and approved by the Director of the Planning, Building & Zoning Department, and if funds are available in the Historic Preservation Commission’s reserves.

I) *Annual Report.* The Commission shall submit an annual report of its activities to the Kendall County Board.

2. **POWERS & AUTHORITIES**
The Preservation Commission shall have the following powers and authority.

A) To conduct an ongoing survey of the County to identify buildings, structures, areas, sites and landscapes that are of historic, archaeological, architectural, or scenic significance, and, therefore, potential landmarks or historic districts;

B) To hold public hearings and recommend to the County Board the designation of landmarks or historic districts;

C) To compile information concerning and prepare descriptions of the landmarks and historic districts identified and recommended for designation and the characteristics that meet the standards for designation;

D) To prepare, keep current, and publish a map or maps showing the locations and exact boundaries of proposed and designated landmarks and historic districts and, if the Commission so chooses, the locations and boundaries of designated state or federal landmarks or districts;

E) To keep a register of all designated landmarks and historic districts;

F) To establish an appropriate system of markers or plaques for all designated landmarks, historic districts, and for streets, roads, trails, and highways leading from one landmark or historic district to another and to confer recognition upon the owners of landmarks or property within historic districts by means of certificates, plaques, or markers;

G) To nominate, with owners’ consent, landmarks and historic districts to any state or federal registers of historic places;

H) To advise and assist owners of landmarks and property within historic districts on physical and financial aspects of preservation, renovation, rehabilitation, and reuse, and on procedures for inclusion on any state or federal register of historic
a) The potential landmarks or districts in one township or distinct geographical area of the County;

b) The potential landmarks associated with a particular person, event, or historical period;

c) The potential landmarks of a particular architectural style or school, or of a particular architect, engineer, builder, designer, or craftsman; or of a particular building material.

d) Such other criteria as may be adopted by the Preservation Commission to assure systematic survey and nomination of all potential landmarks within the County;

2. PRESERVATION PLAN

A) The Historic Preservation Commission shall, through the aforesaid surveys and research, so as to become thoroughly familiarized with buildings, structures, objects, sites, districts, areas and lands within the County which may be eligible for designation as historic landmarks or districts, prepare a "Historic Landmark and District Preservation Plan."

B) The Preservation Plan shall be presented to the Kendall County Planning, Building & Zoning Department for consideration and recommendation to the County Board for possible inclusion in the Kendall County Land Resource Management Plan as amended. From time to time, the Commission shall review the Plan and insert in the Historic Preservation Commission minutes a report of such review and take appropriate action on any amendments to the Plan deemed necessary.

3. NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS

A.) Landmarks

The Preservation Commission or any person may propose landmarks for designation by the County Board by filing a nomination including written proof of owner consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for landmarks or historic districts shall include or be accompanied by the following information:

a) The name and address, as shown on the tax assessor's rolls, of the owners of record of the property proposed for designation.
b) The Permanent Index Number (PIN), legal description, and common street address of the property proposed for designation.

c) A map delineating the boundaries and location of the property proposed for designation.

d) A written statement describing the property and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

f) The County Board reserves the right to set appropriate fees for administering this ordinance.

B.) Historic Districts

The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination including written proof of owners' consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Such forms shall be provided by the Commission. Nomination forms submitted for historic districts shall include or be accompanied by the following information:

a) The names and addresses, as shown on the tax assessor's rolls, of the owner of record of the property proposed for designation and a notarized signed statement of consent of 400% 51% of the owners

b) The Permanent Index Numbers (PIN), legal descriptions, and common street addresses of the properties proposed for designation.

c) A map delineating the boundaries and location of the properties proposed for designation.

d) A written statement describing the properties and setting forth reasons in support of the proposed designation.

e) If nominating an area for designation as a historic district, a list enumerating all properties and improvements previously designated, or
currently pending designation, as a landmark by this Commission or listed on any state or federal registers of historic places.

f) The County Board reserves the right to set appropriate fees for administering this ordinance.

4. CRITERIA FOR DESIGNATION
A.) Landmarks
The Commission may recommend to the County Board the designation of landmarks upon written proof of owner consent. In addition to property owner consent, landmarks shall only be recommended for designation when a thorough investigation results in a determination that the property, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

I) It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

J) It is suitable for preservation or restoration;
K) It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

L) It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

M) It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

B. Historic Districts
The Commission may recommend to the County Board the designation of Historic Districts upon written proof of 100% of property owners’ consent whose property is located within the boundaries of the proposed district. In addition to owners’ consent, where at least fifty-one percent (51%) of the property owners whose property is located within the boundaries of the proposed district consent to designation. Historic Districts shall only be recommended for designation when a thorough investigation results in a determination that the properties, structure, improvement or area so recommended meets one (1) or more of the following criteria:

A) It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

B) Its location is a site of a significant local, County, State, or National event;

C) It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

D) It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

E) It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

F) It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

G) It embodies design elements that make it structurally or architecturally innovative;

H) It has a unique location or singular physical characteristics that make it an established or familiar visual feature;
In the case of a nominated landmark or historic district the recommendation and report shall be available to the public in the office of the County Planning, Building & Zoning Department.

6. NOTIFICATION OF NOMINATION
The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

7. HEARING
A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

8. RECOMMENDATION OF PRESERVATION COMMISSION
Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district and also include if the property owner(s) objects to the designation. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.

9. DESIGNATION
The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks applications, the County Board, after reviewing the report and
recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:

A) Designate the landmark by ordinance; or
   (In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.)

B) Refer the report and recommendation back to the Preservation Commission with suggestions for revisions, stating its reason for such action.

C) Reject the nomination application.

Upon return of the report and recommendation to the Commission, the Commission shall review and prepare new findings within forty-five (45) days of the County Board’s original decision. The County Board shall designate or not designate the landmark at the next regularly scheduled County Board meeting.

10. RESUBMISSION OF APPLICATION
Resubmission of any application for landmark or historic district designation may be made no sooner than ninety (90) days after County Board action on the nomination. Not more than one re-submission may be made within a twelve (12) month period.

11. NOTICE OF DESIGNATION
Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.

12. PUBLICATION OF MAP
A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the same location and in the same manner as any County zoning map.

13. APPEALS
Adoption of an ordinance designating a landmark or historic district by the Kendall County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.

14. INTERIM CODE
No building, zoning, site development, access, utility or other permit shall be issued by
ORDINANCE # 2014——


WHEREAS, the Kendall County Preservation Commission, an agency of the Kendall County Board is invested with certain powers and duties pursuant to the Ordinance; and

WHEREAS, the Kendall County Historic Preservation Ordinance may propose landmarks & historic districts for designation by the County Board; and

WHEREAS, the Kendall County Board amends these ordinances from time to time in the public interest; and

WHEREAS, all administrative procedures for amendments have been followed including a motion and affirmative vote by the Kendall County Historic Preservation Committee on October 16, 2013 to modify the language in the ordinance.

NOW, THEREFORE, BE IT ORDAINED, the Kendall County Board hereby amends pages 7-16: ARTICLE II.2 “Powers & Authorities”, ARTICLE III.3 “Nomination of Landmarks and Historic Districts”, ARTICLE III.4 “Criteria for Designation”, ARTICLE III.8 “Recommendation of Preservation Commission” & ARTICLE III.9 “Designation” of the Kendall County Historic Preservation Ordinance as provided below:

Page 7, Article II.2 POWERS & AUTHORITIES
G) To nominate, with owners’ consent, landmarks and historic districts to any state or federal registers of historic places;

Page 10, Article III.3.A NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS—Landmarks
The Preservation Commission or any person may propose landmarks for designation by the County Board by filing a nomination including written proof of owner consent for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department.

Page 11, Article III.3.A NOMINATION OF LANDMARKS AND HISTORIC DISTRICTS—Historic Districts
The Preservation Commission or any person may propose historic districts for designation by the County Board by filing a nomination including written proof of
owners' consent, for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County.

... a) The names and addresses, as shown on the tax assessor's rolls, of the owner of record of the property proposed for designation and a notarized signed statement of consent of 100% 51% of the owners

Page 12, Article III.4 CRITERIA FOR DESIGNATION- Landmarks
The Commission may recommend to the County Board the designation of landmarks upon written proof of owner consent. In addition to property owner consent, landmarks shall only be recommended for designation when a thorough investigation results in a determination that the property, structure, improvement or area so recommended meets one (1) or more of the following criteria:

Page 13, Article III.4 CRITERIA FOR DESIGNATION- Historic Districts
The Commission may recommend to the County Board the designation of Historic Districts upon written proof of 100% of property owners' consent whose property is located within the boundaries of the proposed district. In addition to owners' consent, where at least fifty-one percent (51%) of the property owners whose property is located within the boundaries of the proposed district consent to designation.

Page 15, Article III.8 RECOMMENDATION OF PRESERVATION COMMISSION
... architectural or scenic significance of the proposed landmark or historic district and also include if the property owner(s) objects to the designation. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.

Page 15-16, Article III, 9 DESIGNATION
A) Designate the landmark by ordinance; or
(In the case of the property owner(s) objection to landmark designation, the landmark nomination would require a super majority vote by the County Board.)

IN WITNESS OF, this Amendment to the Kendall County Historic Preservation Ordinance was approved by the Kendall County Board on March 18, 2014.

Attest:

Debbie Gillette
Kendall County Clerk

John Shaw
Kendall County Board Chairman
LANDMARK NOMINATION APPLICATION

No building, zoning, site development, access, utility or other permit shall be issued by the Planning, Building & Zoning Department, the Highway Department or other County department without a Certificate of Appropriateness being issued in accordance with Article IV Section 2 for alteration, construction, demolition, or removal of a nominated landmark or the alteration of any physical feature of a property or structure within a nominated historic district from the date the nomination form is received by the County office until the final disposition of the nomination by the County Board unless such alteration, removal, or demolition is necessary for public health, welfare, or safety.

APPLICATION REQUIREMENTS
The Kendall County Historic Preservation Commission (Preservation Commission) or any person may propose landmarks for designation by the County Board by filing a nomination (Landmark Nomination Application) including notarized written proof of owner consent (Owners Affidavit), for any property or properties and structures located in an unincorporated area or in an incorporated area by intergovernmental agreement with the appropriate municipality within the geographical boundaries of Kendall County. Completed nomination forms shall be filed with the Kendall County Planning, Building & Zoning Department at 111 W. Fox Street, Yorkville. Such forms are included in this document. Nomination forms submitted for landmarks shall include or be accompanied by the following information:

1. The name and address, as shown on the tax assessor's rolls, of the owners of record of the property proposed for designation and a notarized signed statement of consent of the owner.

2. The Permanent Index Number (PIN), legal description, and common street address of the property proposed for designation.

3. A map delineating the boundaries and location of the property proposed for designation.

4. A written statement describing the property and setting forth reasons in support of the proposed designation.

5. The County Board reserves the right to set appropriate fees for administering this ordinance.

CRITERIA FOR DESIGNATION
Nominations will be judged on whether or not the property meets one or more of the following criteria:

1. It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

2. Its location is a site of a significant local, County, State, or National event;

3. It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

4. It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;
5. It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

6. It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

7. It embodies design elements that make it structurally or architecturally innovative;

8. It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

9. It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

10. It is suitable for preservation or restoration;

11. It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

12. It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

13. It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

THE PROCESS

INITIAL REPORT & RECOMMENDATION OF PRESERVATION COMMISSION

The Preservation Commission shall, within thirty (30) calendar days from receipt of a completed application for designation, cause to be written an initial recommendation and report stating whether the nominated landmark does or does not meet the criteria for designation as provided for in Article III, Section 4 of the Kendall County Historic Preservation Ordinance (Ordinance 2006-67). The report shall contain the following information:

1. An explanation of the significance or lack of significance of the nominated landmark or historic district as it relates to the criteria for designation;

2. A description of the integrity or lack of integrity of the nominated landmark or historic district;

3. A map showing the location of the nominated landmark or the boundaries of the nominated historic district.

4. In the case of a nominated landmark found to meet the criteria for designation, the report shall include a description of the significant exterior architectural features of the nominated landmark that should be protected.

The recommendation and report shall be available to the public in the office of the Kendall County Planning, Building & Zoning Department.
NOTIFICATION OF NOMINATION

The Preservation Commission shall, within thirty (30) days from completion of the initial report and recommendation as described above in Article III, Section 5, cause to be scheduled a public hearing on the nomination. Notice of the date, time, place and purpose of the public hearing shall be sent by certified mail to the owner(s) of record and to the nominators at least fifteen (15) days prior to the date of the hearing. Such notice shall also be published in a newspaper having general circulation in the area surrounding the nominated property or district at least fifteen (15) days prior to the date of the hearing. All notices shall state the street, address and Permanent Index Number or legal description of a nominated landmark or the boundaries of a nominated historic district.

HEARING

A public hearing shall be scheduled, and notification made thereof, pursuant to Article III, Section 6, above. Oral or written testimony shall be taken at the public hearing concerning the nomination. The Preservation Commission may solicit expert testimony or present its own evidence regarding the historic, archaeological, or scenic significance of a proposed landmark or of any property within a proposed historic district relative to compliance with criteria for consideration set forth above in Section 4 of this Article. The hearing shall be closed upon completion of testimony.

RECOMMENDATION OF PRESERVATION COMMISSION

Within thirty (30) days following the close of the public hearing, the Commission shall make its determination upon the evidence whether the proposed landmark or historic district does or does not meet the criteria for designation. A recommendation to the County Board regarding the proposed landmark or historic district shall be passed by resolution of the Preservation Commission. This recommendation shall be accompanied by a report stating the findings of the Preservation Commission concerning the historic, archaeological, architectural or scenic significance of the proposed landmark or historic district. The Preservation Commission shall forward copies of the resolution and report to the applicant and the owner of the subject property or representative for petitioners of the subject area.

DECISION OF THE COUNTY BOARD

The County Board, upon a recommendation from the Preservation Commission that the proposed landmark or historic district should be designated, shall review the report and recommendations of the Preservation Commission.

For individual landmarks applications, the County Board, after reviewing the report and recommendation, shall, within sixty (60) days from receipt of the recommendation of the Preservation Commission, take one of the following steps:

1. Designate the landmark by ordinance; or

2. Refer the report and recommendation back to the Preservation Commission with suggestions for revisions, stating its reason for such action.

3. Reject the nomination application.

Upon return of the report and recommendation to the Commission, the Commission shall review and prepare new findings within forty-five (45) days of the County Board's original decision. The County Board shall designate or not designate the landmark at the next regularly scheduled County Board meeting.
RESUBMISSION OF APPLICATION
Resubmission of any application for landmark or historic district designation may be made no sooner than ninety (90) days after County Board action on the nomination. Not more than one re-submission may be made within a twelve (12) month period.

NOTICE OF DESIGNATION
Notice of the action of the County Board, including a copy of the ordinance designating the landmark, historic district shall be sent by regular mail to all owners of record, including but not limited to each owner of record of a landmark or property within a historic district. Further, as soon as is reasonably possible, the County Board Chair shall cause to be notified the Kendall County Planning, Building & Zoning Department, the Recorder of Deeds, the County Clerk, and the Kendall County Collector by forwarding to each a copy of the designation ordinance. The Recorder of Deeds shall ensure that the designation be recorded on all directly affected parcels.

APPEALS
Adoption of an ordinance designating a landmark by the Kendall County Board shall be a final action reviewable under Section 3-101 of the Illinois Administrative Review Law.

PUBLICATION OF MAP
A map showing the location of all designated landmarks and historic districts shall be published and amended upon each designation. Copies of the map shall be available to the public at the Kendall County Planning, Building & Zoning office, the same location and in the same manner as any County zoning map.

MARKING BY ATTACHMENT OF A PLAQUE
Each designated landmark or historic district may be marked by an appropriate plaque carrying a brief description and account of the historic significance of the property. The plaque shall be provided by the County. The owner of the site or structure is responsible for installing the plaque in a location as approved by the Historic Preservation Commission.

AMENDMENT & RESCISSION OF DESIGNATION
The County Board, upon recommendation of the Preservation Commission, may amend or rescind designation by the same procedure and according to the same standards and considerations set forth for designation. No amendment or rescission shall be made to a designation of a landmark or historic district based solely on a change in owner's consent. Plaques remain the property of the Kendall County Historic Preservation Commission.

TRANSFER OF JURISDICTIONAL CONTROL
Should a designated landmark or historic district be incorporated into a municipality with a preservation ordinance, that municipality's preservation ordinance shall govern. If a municipality annexes a designated landmark or historic district and does not have a preservation ordinance, the County's preservation ordinance will continue to govern.
Flow Chart-Timeline for Landmark Application Process

1. Completed Landmark application filed with commission

2. Commission renders initial determination and report within 30 days of application filing.

3. Commission schedules public hearing to be held no later than 30 days after initial determination and report.

4. Commission notifies owner, nominator and newspaper of public hearing no less than 15 days prior to said public hearing.

5. **YES**
   - Commission determines property meets criteria and recommends designation by the County Board

6. **NO**
   - Commission determines property does not meet criteria. Owner may appeal decision to County Board.

7. Within 60 days, County Board shall:
   1. Designate property by ordinance or,
   2. Deny designation or,
   3. Refer back to Commission for revision.

8. **YES**
   - If the County Board designates, a copy of the ordinance is sent to serve as notice to:
     1. Owner/s
     2. Nominator
     3. Kendall County Planning, Building & Zoning Department
     4. Recorder of Deeds
     5. County Clerk
     6. Kendall County Collector

9. **NO**
   - If the County Board denies to designate by ordinance, the petition may be resubmitted no sooner than 90 days and not more than once in 12 months.
Landmark Nomination Application

KENDALL COUNTY HISTORIC PRESERVATION COMMISSION
111 W. Fox Street
Yorkville IL 60560

Application must be accompanied by 3 to 5 color photographs – front, rear, sides and overall views that include the building setting (high quality print or unaltered digital; no color photocopies).

(PLEASE PRINT)
PART I: APPLICANT

Name

Address
(House number, street, city and zip code)

Daytime phone Evening phone Fax

Email address Organization:

PART II: PROPOSED LANDMARK – ATTACH ADDITIONAL PAGES IF NECESSARY

Address
(House number, street, city and zip code)

Significant element (house, barn, etc.)

PIN (Permanent Index Number) Is it within city limits?

Has it ever been moved from its original site? If so, when and from where?

Year built if known Architect or builder:

Historic Owner

Original Use: Present Use:

Legal Description

PART III: OWNER CONSENT

No property will be designated as a Landmark without the full consent of each owner of record. Submit notarized Owner Consent form with this application.

PART IV: DESCRIPTIVE NARRATIVE

Attach a separate page or pages describing why you feel this property is a Kendall County Landmark. Include copies of any historic photographs or materials and describe any known alterations of the exterior of the property such as an addition, change in windows, siding, etc.

Note: the commission will not be responsible for returning original material.

PART V: MAP

Provide a map or plat of survey delineating the boundaries and location of the property proposed for designation.

For staff use only. Date received: By:
Part VI SIGNIFICANCE

Please check all that apply and describe in further detail in the narrative:

___ It has character, interest, or value which is part of the development, heritage, or cultural characteristics of a local community, the County, the State of Illinois or the Nation;

___ Its location is a site of a significant local, County, State, or National event;

___ It is identified with a person or persons who significantly contributed to the development of the local community, the County, the State of Illinois, or the Nation;

___ It embodies distinguishing characteristics of an architectural style valuable for the study of a period, type, method of construction, or use of indigenous materials;

___ It is identified with the work of a master builder, designer, architect, engineer, or landscape architect whose individual work has influenced the development of the local area, Kendall County, the State of Illinois, or the Nation;

___ It embodies elements of design, detailing, materials, or craftsmanship that render it architecturally significant;

___ It embodies design elements that make it structurally or architecturally innovative;

___ It has a unique location or singular physical characteristics that make it an established or familiar visual feature;

___ It is a particularly fine or unique example of a utilitarian structure with a high level of integrity or architectural significance;

___ It is suitable for preservation or restoration;

___ It is included in the National Register of Historic Places and/or the Illinois Register of Historic Places.

___ It has yielded, or may be likely to yield, information important to pre-history, history or other areas of archaeological significance.

___ It is an exceptional example of an historic or vernacular style or type or one of few remaining in the County.

Submitted by: ____________________________                              Date ____________

For additional information or assistance, contact Planner Angela Zubko at 630 553-4139.
KENDALL COUNTY HISTORIC PRESERVATION COMMISSION
OWNER AFFIDAVIT

COUNTY OF KENDALL
STATE OF ILLINOIS

I/we attest that I am/we are the owner(s) of the property described as:
Address: _______________________________ PIN: __________________________
(City, state, zip)

We give our full consent to the Kendall County Board to designate said property as a Kendall County Landmark. We further attest that there are no other owners. We will perform no alterations, exterior construction, exterior demolition or interior alteration which may affect the exterior appearance of this property except as shall be approved by a Certificate of Appropriateness unless the Kendall County Board shall deny the nomination for Landmark designation.

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Subscribed and sworn to before me, this _____ day of ________, 20____ in the County of
________________________. State of _______________________

________________________. Notary Public Name                             Notary Public Signature
My commission expires _______________________. (Affix seal):